

REMARKS

This Reply is submitted in response to the final Office Action dated January 28, 2008. Claims 1-4, 6-10, 12-16, 18 and 19 remain present in this application. In the present Office Action: claims 1-4, 6-10, 12-16, and 18-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,815,160 (hereinafter “Kikuchi”) in view of “Letter legibility and visual word recognition” (hereinafter “Nazir”); and claims 5, 11, and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kikuchi and Nazir in view of “Definition of Acuity test, visual” (hereinafter “Acuity test”).

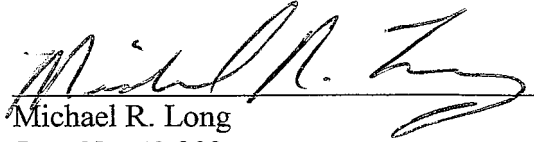
Applicant extends appreciation to the Examiner for the courtesy of a teleconference on April 14, 2008. While Applicant does not necessarily agree with the positions taken in the present Office Action, Applicant has amended independent claims 1, 7, 9, 12, 14, and 19, per the Examiner’s suggestions. Applicant has also amended dependent claims 6 and 18. More specifically, Applicant has essentially incorporated the subject matter of: dependent claim 5 into independent claim 1; dependent claim 5 into independent claim 7; dependent claim 11 into independent claim 9; dependent claim 11 into independent claim 12; dependent claim 17 into independent claim 14; and dependent claim 20 into independent claim 19. Accordingly, Applicant has also canceled claims 5, 11, 17 and 20. Applicants submits that the application is now in condition for allowance and a notice to that effect is solicited.

With this amendment, Applicant does not concede that the subject matter set forth in independent claims 1, 7, 9, 12, 14, and 19 (as the claims existed prior to this amendment) is not patentable and may file one or more continuing applications to pursue the subject matter of independent claims 1, 7, 9, 12, 14, and 19, as the claims existed prior to this amendment.

Applicant respectfully submits that Applicant’s independent claims 1, 7, 9, 12, 14, and 19 are allowable over the applied art of record, alone or in combination. Additionally, Applicant respectfully submits that dependent claims 2-4, 6, 8, 10, 13, 15, 16, and 18 are also allowable for at least the reason that the claims depend on allowable claims.

In the event that the Examiner believes that an additional telephone conference would further prosecution of the present application, Applicant invites the Examiner to contact the undersigned attorney at (512) 617-5521.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael R. Long", written over a horizontal line.

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